



# Clay County Board Minutes



## COUNTY BOARD OF SUPERVISORS PROCEEDINGS

Courthouse, Clay Center, Nebraska, June 14, 2011 at 9:00 A.M.

The Clay County Board of Supervisors met June 14, 2011 as per public notice given in the Clay County News on June 8, 2011 a copy of the proof of publication being on file in the County Clerk's Office. Availability of the agenda was communicated in the advance notice of the meeting and on the county website. Chairman Fintel presided with roll call showing the following present: Anderson, Johnson, Shaw, Schmidt and Fintel; absent: Nuss and Samuelson. Minutes of the meeting held May 31, 2011 were sent to the board members. All of the proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairman, Fintel stated that the open meeting law poster is posted on the west wall in the back of the room.

Samuelson entered the meeting at 9:02 AM.

Motion by Anderson and seconded by Shaw to approve the minutes of the meeting held May 31, 2011 as mailed. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel; absent: Nuss. Motion carried.

There was no public input.

Thomas Roemmich II, Highway Superintendent reported that the Harvard project is done; he had them put in two driveways while they were there; the seeding is done and everything has been backed filled. The bridge on Road U has been replaced with culverts. They will be working on the bridge on Road 323. The mowing is going well and rock crushing has begun at Fairfield. Tom asked the board what had been decided about the roads in the NAD. At the public hearing in November 2010 Mr. Hunt stated that he believed that Mid State Industries had never deeded the roads when the lots were sold; therefore they, in his opinion held ownership of those areas. Consensus of the board was that the roads are not Clay County roads. The Adams County Road Dept. was contacted to see if they maintained any roads in the NAD in Adams County; they do not. It was decided to maintain the three access roads into the area; Road D, ¼ mile of Road C and ¼ mile of Road B; from there it would be the landowners responsibility to maintain.

The bond for LaRue Rader was submitted to the board for approval. Motion by Samuelson and seconded by Johnson to approve the bond for LaRue Rader as Secretary/Treasurer for Trumbull Rural Fire District. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Samuelson and Fintel; absent: Nuss. Motion carried.

Region 3 Behavioral Health Services budget request and Letter of Agreement was given to the board. Because of re-apportionment, there is an increase in Clay County's tax match for the next fiscal year.

Motion by Johnson and seconded by Shaw to grant the budget request of Region 3 Behavioral Health Services for fiscal year 2011-2012 in the amount of \$13,834.98. On



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roll call, yea: Schmidt, Johnson, Shaw, Samuelson, Anderson and Fintel; absent: Nuss. Motion carried.

Spencer Nelson, USDA-APHIS presented a summary of last years activity in Clay County, a budget request and agreements. The report contained a contract summary, damage and species summary and program development. A total of 472 hours were worked in Clay County of which 350.5 were credited to the county contract. These hours plus reporting and training duties had a value of \$18,421.00 in costs of which Clay County paid \$5757.00 and the Wildlife Services paid \$12,664.00. Total damages from wildlife-human conflicts were \$63,413.00 which is a strong underestimate of the wildlife damages since not all people experiencing problems contact the program. Most damage occurs prior to assistance from Wildlife Services. There is no increase in the budget request for the next fiscal year.

Motion by Shaw and seconded by Anderson to authorize the chairman to sign the agreements between Clay County and USDA-APHIS and accept the budget request for \$5757.00 for fiscal year 2011-2012. On roll call, yea: Johnson, Shaw, Samuelson, Anderson, Schmidt and Fintel; absent: Nuss. Motion carried.

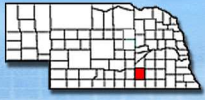
The board had received information regarding the annual contribution for NIRMA/NIRMA II for fiscal year 2011-2012 and the options to choose higher deductibles. It was decided to stay with the current deductible.

The Assignment for the Public Defender contract was presented. The contract for public defender for Clay County is assigned to the Law Office of Sullivan, Shoemaker, Witt & Burns, P.C., L.L.O. Motion by Samuelson and seconded by Anderson to accept and authorize the chairman to sign the Assignment of the Public Defender contract. On roll call, yea: Shaw, Samuelson, Anderson, Schmidt, Johnson and Fintel; absent: Nuss. Motion carried.

The board discussed combining some of the present individual funds with the General Fund. The individual funds that will be combined into the General Fund are: Employment Security Act, Relief/Medical, Institutions, Revenue Sharing, Building Sinking, Handicapped Accessibility, Infra Damaged/Disaster and Property Tax Reimbursement. The resolutions for this action will be prepared and acted on at the next meeting.

The fee reports were circulated for review. Motion by Schmidt and seconded by Johnson to accept the fee reports for the following county officials for the month of May 2011: County Clerk, \$6,182.95, County Court \$12,948.60, Clerk of District Court, \$13,931.19, and County Treasurer receipts #11050001 thru #11050077 in the amount of \$251,637.41; and for the County Sheriff's fee report for the month of April \$3,155.52. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel; absent: Nuss. Motion carried.

The board had discussed paying back the Inheritance Tax Fund when funds were available. There are sufficient funds in the General Fund to make the transfer at this time.



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Motion by Schmidt and seconded by Anderson to transfer the borrowed funds in the amount of \$71,000.00 from the General Fund back into the Inheritance Tax Fund pursuant to Resolutions #10-17 and #11-03. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Samuelson and Fintel; absent: Nuss. Motion carried.

Motion by Anderson and seconded by Shaw to increase the County Jail budget by \$505.54 and decrease the General Miscellaneous budget by \$505.54. On roll call, yea: Schmidt, Johnson, Shaw, Samuelson, Anderson and Fintel; absent: Nuss. Motion carried.

Jeff Franklin, County Sheriff explained that the main reason the Jail budget was overspent was due to the two holds in Lincoln; the daily charge plus medical expenses attributed to the budget shortage. All of the equipment has been removed from the 2005 Impala. The fence has been removed and Jeff has moved some dirt up close to the building. He has contacted the people who originally did the roof; they are supposed to stop in next week to look at it. Jeff said the insurance company told him the roof was too old so they (ins. co.) wouldn't help (with the expense of fixing/replacing the roof) last year when the tree fell on it. Constructing an awning was discussed again. Jeff would like it extended enough to get the EM vehicle under it. They have started moving things out of the basement but will need Cooney to remove the refrigerant from the two freezers before they can be removed. Jeff asked for permission to remove both freezers even though one is still working. Because of the age and condition of the freezers and the work involved in removing them, the board said to go ahead and remove both.

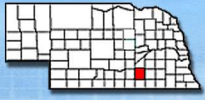
Motion by Johnson and seconded by Shaw to declare the Sheriff's 2005 Chevy Impala 4 door as surplus property and give the Sheriff the authority to sell the vehicle. On roll, yea: Johnson, Shaw, Samuelson, Anderson, Schmidt and Fintel; absent: Nuss. Motion carried.

The proposal from Eakes to combine lease and maintenance agreements for the Clerk, Assessor and Treasurer was discussed. The board gave the go ahead for the Assessor and Clerk to get new copier/printers and to combine the leases and maintenance agreement with the Treasurers. This will be a savings of approximately \$132.71 per month.

Jack Cox, Veterans Service Officer presented his preliminary budget request; same as last year. Jack also asked about getting his office painted. The board told him to get a couple of informal bids.

Deb Karnatz, County Clerk/Election Commissioner presented the preliminary budget requests for those two departments; no increase was asked for. The need to continue the Election Equipment Sinking Fund was discussed. The equipment that has been provided by the Secretary of State's office will become the county's responsibility in 2012 unless more funding is received by the state. The County will need to have funds available to maintain and or possibly replace the equipment in the future.

Travis Songster, Custodian brought in Jason Godwin from C-Tech Restoration, Inc. to report on what he found in the courthouse relating to water damage. Jason suggested



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doing a water test to determine if the problem is the roof or the seals around the decorative part on top of the courthouse. The board asked Jason to do the test with Travis' help. Jason will also inspect the Health Dept. The board asked Travis if he had any information about the building they are going to put up. Travis said he has flagged a 24' x 30' area for the new maintenance building behind the courthouse. He said he needed to call the diggers hotline and get the sprinklers moved. Anderson said he needed to contact zoning first. The board will discuss in more detail next week whether they want a wood or steel structure, the height of the side walls, bidding the concrete, wiring, etc. together or separately.

Motion by Shaw and seconded by Johnson to authorize the chairman to sign the Letter of Agreement between Regional Governing Board for Region 3 Behavioral Health Services and Clay County; effective July 1, 2011 through June 30, 2012. On roll call, yea: Shaw, Samuelson, Anderson, Schmidt, Johnson and Fintel; absent: Nuss. Motion carried.

Loren Uden, Emergency Management Consultant reported that the scanner for the ID machine is installed and that he will meet with Tina Nelson to work out the details to get the process started. LEOP updates are coming in from the Villages; he will get them done and sent in to the state. Loren is working on a website for Emergency Management. He has found a 2006 4 wheel drive crew cab pickup with around 82,400 miles for \$10,900.00. Right now there is no vehicle that will pull the trailer. The board told Anderson and Loren to keep looking for a vehicle.

Motion by Johnson and seconded by Samuelson to open the public hearing at 11:30 AM. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel; absent: Nuss. Motion carried.

Ted Griess, County Attorney, was present at the time of the public hearing. There was no one else present. No oral or written comments were received concerning the sale of the property or the valuation. Ted will advertise to take bids; bids to be opened July 12, 2011 at 11:30 AM.

Motion by Anderson and seconded by Schmidt to close the public hearing at 11:37 AM. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Samuelson and Fintel; absent: Nuss. Motion carried.

Motion by Anderson and seconded by Johnson to set fair market value at \$150.00 for Lot 15 and W1/2 Lot 14 Block 9 OT Fairfield. On roll call, yea: Schmidt, Johnson, Shaw, Samuelson, Anderson and Fintel; absent: Nuss. Motion carried.

Tina Nelson was present to discuss the agreement to administer the ID software. Tina made a few suggestions. A new agreement will be discussed next week.

Motion by Johnson and seconded by Shaw to adjourn this meeting at 12:03 P.M.; next meeting scheduled for June 21, 2011. On roll call, yea: Johnson, Shaw, Samuelson, Anderson, Schmidt and Fintel; absent: Nuss. Motion carried.





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